

Office of Professional Accountability (OPA)

Commendations & Complaints Report

November 2002

Commendations:

Commendations Received in November: 40

Commendations Received to Date: 1,349

Rank	Summary
Civilian	Thank you for the effort you put into the Awards Dinner; you are amazing
3 Officers	Great tactics, safety and professionalism used while arresting suspect on crack cocaine
Detective	Great written report, field investigation studies, and photos regarding the traffic fatality
Lieutenant	Thank you for serving as part of the oral board for Fife Civil Service Commission
Officer & Lt.	Great job winning the case
Officer	Thank you for retrieving my stolen property
Officer	Good job on the juvenile assault case and excellent report
Officer	Thank you for all of your hard work in our community
Sergeant	Thank you for increasing patrols near Renegade Park, we have seen a positive change
Officer	Your professionalism and hard work is very much appreciated
Officer	Thank you for being so gracious and going above and beyond regular procedure
Officer	Thank you for your response to the fatal stabbing; Your bilingual skills in Spanish were very valuable in solving this case
Detective	Thanks for catching the man who assaulted my daughter
Officer	Thanks for your dedication and hard work making our community a better place
Detective	Thank you for your dedication and professionalism regarding the international sex slavery case
Sergeant	Thank you for participating in the Homeland Security Assessment
Lieutenant	Thank you for planning and staffing the National Broadcasters convention
Detective	Great job clearing up the auto theft case in just one hour
2 Officers	Good work on traffic stop which lead to arrest and discovery of crack cocaine
A/Chief	Thanks for your assistance in writing a letter to support our (UW) grant proposal regarding "Understanding Addiction"
Officer	Thank you for stopping me to let me know my tabs were expired, I had forgotten all about renewing them
Officer	Off Duty officer reported domestic violence dispute on I-5. Followed car and kept 911 dispatcher informed until Police arrived
2 Officers	Thank you for training our two new canines
Officer	Thank you for recovering my stolen vehicle
4 Officers	Thank you for putting a stop to the harassment by our neighbors
Officer	Thank you for speaking at our Cub Scout meeting
3 Officers	Great job finding stolen vehicle and robbery suspect
Officer	Thank you for assisting my father, an elderly, disabled man back to his home
Detective	Great presentation to the Sexual Assault Unit, your investigative skills really

	shined
Officer	Thank you for calling an ambulance and for catching the hit and run driver that ran into me
Officer	Thank you for the rapid arrest of the bank robber and full recovery of stolen money.

November 2002 Closed Cases:

Cases involving alleged misconduct of officers and employees in the course of their official public duties are summarized below. Identifying information has been removed.

Cases are reported by allegation type. One case may be reported under more than one category.

UNNECESSARY FORCE

Synopsis	Action Taken
Complainant alleged unnecessary force during an investigative stop for narcotics activity and public drinking.	Investigation showed only reasonable force was used in encounter. Evidence revealed substantial problems with complainant's credibility. Finding – EXONERATED.
Complainant alleged unnecessary force in her arrest for DUI and DWLS.	Thorough investigation showed officers used reasonable force to restrain combative and intoxicated complainant. Evidence indicated injury to complainant's ankle likely caused by repeated kicking of holding cell door. Finding – UNFOUNDED.
Complainant alleged an officer used unnecessary force at the time of his apprehension following both a vehicle and foot pursuit.	Thorough investigation showed that the allegations were inconsistent with the testimony and the evidence. The evidence substantiated that the force used and reported by the arresting officer was necessary and appropriate to effect the arrest of a fleeing and combative suspect. Finding – EXONERATED.
Complainant alleged officers used unnecessary force when they contacted him in response to call of violent disturbance at shelter.	Investigation showed reasonable force was used on violently resisting subject. Civilian witnesses testified force used was necessary and appropriate. Complainant sustained no injuries. Finding – EXONERATED.
Complainant alleged unnecessary force when grabbed by an officer	Investigation revealed conflicting accounts of the need for force and the degree of force used in placing complainant against wall for

investigating a fight between she and her boyfriend in Pioneer Square during Mardi Gras.	handcuffing. Finding – NOT SUSTAINED.
Complainant alleged officer used unnecessary force when he was stopped for interfering with a traffic stop of another vehicle.	Investigation showed conflicting evidence on need for and degree of force used in placing complainant on patrol car. Finding – NOT SUSTAINED.
Complainant alleged named officer used unnecessary force while walking him out of a house during his arrest for violation of a protection order.	Investigation showed that any contact with the doorframe of the house was accidental and may have occurred due to the officer and the complainant going through the doorway at the same time. Finding – UNFOUNDED.
Complainant alleged that the named officer used unnecessary force during the complainant's preparation for transportation and again at the precinct.	During the investigation, the great bulk of the evidence supports use of the lawful and appropriate force described in the use of force report. Finding – EXONERATED.
Complainant alleged the named officer used unnecessary force during a pat-down for weapons prior to transporting.	The investigation showed that the force used by the officer was reasonable, appropriate and according to SPD training, policy and procedure. Finding – EXONERATED.
Complainant alleged the named officer used unnecessary force against him after the complainant struck a parked car with his vehicle while fleeing his residence, which was being burglarized.	Investigation showed that officers other than the named officers actually effected the taking of physical custody of the complainant, while the named officer acted as a cover officer. In addition, the complainant had a head injury before being contacted by any officer, and he alleged that the named officer inflicted this injury. Finding – EXONERATED.
Complainant alleged unnecessary force by a named and an unknown	The injuries sustained by the complainant were consistent with the force he complained of and the force reported by the named

officer while in the detention cell at the precinct.	officer. The complainant acknowledged lack of cooperation, but denied combativeness, etc. A witness stated he heard no confrontation, but was not in a position to do so. Finding – NOT SUSTAINED.
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MISUSE OF AUTHORITY

Synopsis	Action Taken
Complainant issued a citation for public drinking alleged harassment on basis of sexual orientation.	There was no evidence to support that contact was based, even in part, on sexual orientation. Misuse of Authority Finding – EXONERATED.

MISUSE OF AUTHORITY/BIAS-BASED POLICING

Synopsis	Action Taken
Complainant alleged she and her African-American boyfriend were observed by the named officer, and that she was then pulled over for speeding.	An investigation tended to show that the officer observed the car because it was parked between two unopened businesses, and that the complainant was then stopped for exceeding the speed limit. Finding – EXONERATED.

SAFEGUARDING/MISHANDLING EVIDENCE/PROPERTY

Synopsis	Action Taken
Complainant alleged that his knife was misplaced after he turned himself in on a warrant.	Investigation showed no evidence that the complainant had a knife in his possession. Complainant failed to respond to requests for interview. Finding – UNFOUNDED.
Complainant alleged a wallet and checkbook were not with his property when released from jail.	Investigation showed the checkbook was given to a passenger in the complainant's vehicle and that the wallet and its contents were properly transported and logged in at the King County Jail. Finding – EXONERATED.

CONDUCT UNBECOMING AN OFFICER

Synopsis	Action Taken
Complainant alleged officers used profanity and made derogatory	Investigation showed that none of the civilian or officer witnesses to the encounter heard the alleged remarks. The named officer denied

remarks during an investigative stop for possible narcotics activity and public drinking.	making the statements. Finding – UNFOUNDED.
Complainant alleged an officer directing Mariner traffic grabbed him on the shirt or shoulder and pushed him backward into the crowd.	Investigation confirmed the above, but showed the officer was concerned that the complainant was about to step into oncoming traffic. Finding – EXONERATED.
Complainant alleged the named officer made derogatory statements to him when he was stopped for a pedestrian violation.	The investigation provided no evidence that the officer made a derogatory comment to the complainant. Finding – UNFOUNDED.
Complainant alleged an officer made derogatory remarks at the time of his apprehension following both a vehicle and foot pursuit.	Investigation revealed substantial problems with complainant's credibility. Finding – UNFOUNDED.
Complainant alleged the named officer used threatening language during a traffic stop for a warrant when the complainant failed to provide identification.	Investigation showed that after asking for ID several times and explaining why he needed it, the officer told the complainant he would "jerk" him out of the car and "put him on the ground" if he did not produce his ID. Officer used no force, and it was determined that the forceful language was appropriate under the circumstances. Finding – EXONERATED.
Complainant alleged off-duty officer called him racially derogatory terms during a road-rage incident.	Investigation disproved this allegation. Finding – UNFOUNDED.
Complainant alleged officer made derogatory remarks when issuing a citation for drinking in public.	Complainant gave inconsistent versions of the alleged remarks. A witness complainant identified would not provide a statement. The named officer and a witness officer denied the alleged remarks. Conduct Unbecoming Finding – UNFOUNDED.
Complainant alleged	The evidence showed the complainant was

profanity by named officer in ordering him out of the street and onto the curb.	immediately verbally hostile, intoxicated, and had a distorted memory of the incident. Finding – UNFOUNDED.
Complainant alleged profanity by the named officer when ordering him to get out of the area.	Investigation showed profanity admittedly used by named officer was not inappropriate under the unique circumstances involving street drag-racing and a call for backup that prevented the named officer from issuing a citation to the complainant. Finding – EXONERATED.
Complainant alleged rude and derogatory remarks were made by a named employee during a telephone conversation about a stabbing her son was the victim of.	The named employee denied the remarks. There were no other witnesses. Finding – NOT SUSTAINED.
Complainant alleged the named officer was rude and used profanity when talking to her outside an apartment building.	Investigation provided no evidence that the named officer was rude or used profanity. Finding – UNFOUNDED.
Complainant alleged an off-duty Parking Enforcement Officer (PEO) was rude and intimidating during an encounter the complainant had with another PEO about nametags.	Investigation showed that the named employee and the complainant had two completely different perspectives about the same set of facts. Finding – Converted to a Supervisory Referral (SR) for resolution.

FAILURE TO TAKE APPROPRIATE ACTION

Synopsis	Action Taken
Complainant alleged named officers improperly permitted property in dispute to be removed from her home by her recently deceased son's girlfriend (and mother of the	Investigation showed that officers were never notified that there were items in dispute. Both complainant and witness declined to participate in the investigation. Finding – EXONERATED.

complainant's grandchild).	
Complainant alleged the named officers failed to take necessary actions while investigating an assault incident.	Investigation showed that the officers took the appropriate steps in investigating the incident and determined that there had been no assault. Finding – EXONERATED.

VIOLATION OF RULES/REGULATIONS/LAWS

Synopsis	Action Taken
Complainant alleged off-duty officer drove erratically, then brandished weapon when the cars stopped in road-rage incident.	Investigation showed officer reported erratic driving of complainant and displayed badge but not duty weapon when complainant aggressively approached his car window. Finding – UNFOUNDED.
Complainant alleged the named officer failed to prepare and submit an incident report in an appropriate and timely manner after an assault incident.	Investigation showed that the officer prepared the incident report and submitted it to his sergeant in an appropriate and timely manner. Finding – EXONERATED.

FAILURE TO IDENTIFY SELF

Synopsis	Action Taken
Complainant alleged that the named officers did not provide their names and serial numbers when he asked for them.	Investigation provided no evidence that the officers failed to identify themselves or that they were even requested to do so. Finding – EXONERATED.

IMPROPER SEARCH

Synopsis	Action Taken
Complainant alleged that a female officer searched him instead of a male officer.	While SPD policy may prohibit or limit searches of persons of the opposite sex, pat-downs or frisks do not have the same gender-based policy limitations. Finding – EXONERATED.

Definitions of Findings:

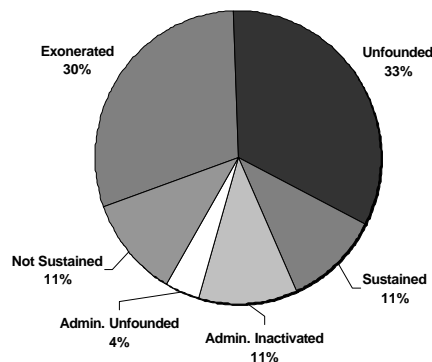
- **Sustained:** The allegation of misconduct is supported by the evidence.
- **Not Sustained:** The evidence neither proves nor disproves the allegation of misconduct.
- **Exonerated:** The event described did occur, and the actions taken by the officer(s) were lawful and proper.
- **Unfounded:** The allegation of misconduct did not occur as described.
- **Administratively Unfounded or Administratively Inactivated:** The case has a fundamental legal or procedural defect or the involved personnel cannot be identified. Inactivated cases may be re-opened if new information is received.

Status of OPA Contacts to Date:

2001 Contacts

Contact Logs	626
Cases Assigned for Investigation (IS; LI)	263
Cases Closed Through Nov 30, 2002	226
Cases with a Sustained Allegation	29 (13%)

CHART A
Dispositions of Allegations in Completed Investigations
2001 Cases
 N = 268 Allegations in 226 cases



2002 Contacts

	November 2002	Jan. - Nov. 2002
Contact Logs	37	523
Cases Assigned for Supervisory Review	2	93
Cases Assigned for Investigation (IS; LI)	9	184
Cases Closed	28	78
Cases with a Sustained Allegation	4 (14%)	13 (17%)
Commendations	40	1,349

CHART B
Dispositions of Allegations in Completed Investigations

2002 Cases